

IN RE: VOLKSWAGEN “CLEAN
DIESEL” MARKETING, SALES
PRACTICES, AND PRODUCTS
LIABILITY LITIGATION

) MDL No. 2672 CRB (JSC)
)
) **[PROPOSED] ORDER APPROVING**
) **MODIFICATIONS TO INDIAN TRIBE**
) **TRUST AGREEMENT**

United States v. Volkswagen AG et al.,
Case No. 16-cv-295 (N.D. Cal.)

MDL No. 2672 CRB (JSC)

**[PROPOSED] ORDER APPROVING
MODIFICATIONS TO INDIAN TRIBE
TRUST AGREEMENT**

1 Having reviewed and considered the United States' and Trustee's joint request for Court
 2 approval of modifications to the Environmental Mitigation Trust Agreement for Indian Tribe
 3 Beneficiaries ("Trust Agreement"), the Court:

4 (1) **GRANTS** the joint request, and hereby approves, in accordance with Paragraph 6.5
 5 of the Trust Agreement, the modifications to the Trust Agreement and all the terms and
 6 conditions thereof (appended to the joint request as Attachment A) ("Modified Trust
 7 Agreement");

8 (2) **ORDERS** that the Modified Trust Agreement shall become effective on the later of
 9 the date of this Order or 30 days from the date the Trustee gave notice of the Modified Trust
 10 Agreement to Beneficiaries pursuant to Paragraph 6.5 thereof ("Trust Modification Effective
 11 Date"). Upon the Trust Modification Effective Date, the Modified Trust Agreement supersedes
 12 the Trust Agreement filed with the Court on October 2, 2017 (Dkt. No. 51-2) and all other
 13 modifications thereto and, as of the Trust Modification Effective Date, shall constitute the legal,
 14 valid, and binding rights, duties, and obligations of all parties thereto. The Court directs the
 15 Trustee and the Settling Defendants to commence performance of their obligations in accordance
 16 with the terms of the Modified Trust Agreement immediately upon the Trust Modification
 17 Effective Date; and

18 (3) **ORDERS** that the Trustee terminate the Trust in accordance with Paragraph 6.8 of
 19 the Trust Agreement.

20
 21 **IT IS SO ORDERED.**

22
 23 Dated: _____, 2023

24 _____
 25 CHARLES R. BREYER

26 United States District Judge
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